

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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:  
KELLEY AMADEI, :  
:  
Plaintiff, : 17-CV-05967 (NGG)  
:  
v. : 225 Cadman Plaza East  
:  
DUKE, et al., : Brooklyn, New York  
:  
Defendants. : January 25, 2018  
:  
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TRANSCRIPT OF CIVIL CAUSE FOR INITIAL CONFERENCE  
BEFORE THE HONORABLE VERA M. SCANLON  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Plaintiffs: JOSHUA PICKER, ESQ.  
NEIL ROMAN, ESQ.  
Covington & Burling, LLP  
620 Eighth Avenue  
New York, New York 10018  
  
CECILLIA WANG, ESQ.  
HUGH HANDEYSIDE, ESQ.  
ACLU Immigrant's Rights Project  
Senior Staff Counsel  
125 Broad Street  
18th Floor  
New York, New York 10004  
  
For the Defendants: DARA OLDS, ESQ.  
United States Attorney's Office  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201  
  
Court Transcriber: RUTH ANN HAGER, C.E.T.\*\*D-641  
TypeWrite Word Processing Service  
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Saratoga Springs, New York 12866

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1 on the merits.

2 THE COURT: All right.

3 MS. OLDS: I think those two things weigh in our  
4 favor as far as discovery being stayed until the motion is  
5 free to decide it.

6 THE COURT: All right. So I'm not going to stay  
7 discovery. I don't see it as being burdensome to the  
8 Government. If it turns out once you've had a substantive  
9 discussion about what's needed maybe you can have a schedule  
10 that stages this so that you speak about -- you deal with the  
11 questions related to the incident and work your way into this  
12 question of whether there is a policy, wasn't a policy,  
13 whatever it is.

14 But it doesn't seem like a particularly difficult  
15 case. And I agree with the plaintiff's counsel that memories  
16 fade and that seems like a good reason to move ahead, at least  
17 on the particular factual questions with regard to this -- the  
18 plaintiffs' experiences.

19 If it becomes too difficult, then you can raise that  
20 issue again. You can raise this with the district judge when  
21 he considers the pre-motion conference letters and, you know,  
22 what -- if -- what the briefing schedules should be and what  
23 the issue are, but it seems to me this should go ahead.

24 So what about the point that I asked plaintiffs'  
25 counsel about, which is they propose a schedule that's tied